

# O'Donoghue PLLC

September 28, 2020

The Honorable Andrew L. Carter  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007  
*Via ECF*

**Re: *Martinez-Hernandez v. East Wingers Inc. et al.***  
***Joint Status Letter***  
**Case No. 17-cv-2176-ALC**

Hon. Carter:

This firm is counsel to the defendants, East Wingers Inc. and Kunj Patel. We write in response to the order of the Court on September 21, 2020 (Document Number 88) requiring a joint status letter.

Counsel for the Plaintiffs requests an adjournment to discuss this matter with his clients and to investigate further. Kevin Johnson, Esq., an attorney from the firm that represents the Plaintiffs, Micheal Faillace & Associates, contacted me via email today.

Counsel for the defendants does not object to an adjournment, as we have not been able to speak to Mr. Patel regarding this matter.

My recollection is that there was a “fairness letter,” but not an agreement, between the parties. I have searched my records and emails and do not see any agreement other than the consent judgment. Defendants’ counsel is not aware of whether plaintiff Ramirez Rojas retained counsel, but I have not been contacted by anyone regarding this matter since 2018.

Most Respectfully:

\_\_\_\_/s/ Kevin Sean O'Donoghue\_\_\_\_

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